

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF MONTANA**

**HELENA DIVISION**

**FILED**

**APR 13 2012**

**PATRICK E. DUFFY, CLERK**  
**DEPUTY CLERK, MISSOULA**

LYLE HERMAN,

Plaintiff,

vs.

MIKE FERRITER, et al.,

Defendants.

Cause No. CV-12-00017-H-DLC-RKS

ORDER

Plaintiff Lyle Herman has filed a "Motion of Objections to Magistrate Keith Strong's Order of April 2, 2012 of denial as moot" (Doc. No. 14) and a "Motion of Objection to District Judge Dana Christensen's Order of April 3, 2012." (Doc. No. 15).

To the extent these motions could be construed as motions for reconsideration, they are denied. Plaintiff Herman does not meet the standards of Local Rule 7.3. He has not filed a motion for leave to file a motion for reconsideration, and he cannot establish that the facts and applicable law are materially different from the facts and law presented to the Court before the initial rulings or that new facts or law have emerged since the Orders were issued.


Mr. Herman contends he is not bound to follow Local Rule 7.3 due to a lack

of legal knowledge in a civil action. But, a pro se litigant is required to "abide by the rules of the court in which he litigates." Carter v. C.I.R., 784 F.2d 1006, 1008 (9th Cir. 1986).

Finally, Mr. Herman presented no new argument to convince the Court that Magistrate Judge Strong's ruling was incorrect. Although he has presented a March 30, 2012 letter from Mike Ferriter, Director of the Montana Department of Corrections, that letter does not establish that the denial of his motion to proceed in forma pauperis was inappropriate.

Accordingly, IT IS HEREBY ORDERED that Plaintiff Herman's motions of objections (Doc. Nos. 14, 15) are denied.

DATED this 12<sup>th</sup> day of April, 2012.

  
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Dana L. Christensen, District Judge  
United States District Court